1	BRIAN H GETZ, ESQ. (CSBN 85593) LAW OFFICES OF BRIAN H GETZ					
2	88 Kearny Street, Suite 1850					
3	San Francisco, CA 94108 Telephone: (415) 912-5886					
4	Email: bhgetz@pacbell.net					
5	Attorney for Defendant LAWRENCE J. GERRANS					
6						
7	IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA					
8	SAN FRANCISCO DIVISION					
9	LIN WITTEN CITA TIEG OF AN IEDNOA) G . N. 2.10 OD 00210 EMG				
10	UNITED STATES OF AMERICA,) Case No.: 3:18-CR-00310-EMC)				
11	Plaintiff, vs.	DEFENDANT'S NOTICE OF MOTION TO CONTINUE TRIAL DATE.				
12)				
13	LAWRENCE J. GERRANS) Hearing Date: April <u>17</u> , 2019) Hearing Time: 2:30 PM				
14	Defendant.	Courtroom: 5				
)				
15						
16	TO ALL PARTIES AND THEIR ATTORNEYS OF R					
17	PLEASE TAKE NOTICE that on Wednesday,	April $\frac{17}{}$, 2019 at 2:30 PM, or soon thereafter, as the				
18	matter may be heard in Courtroom 5 at 450 Golden Gat	te Avenue, 17th Floor, San Francisco, CA 94102,				
19	before the HONORABLE EDWARD M. CHEN, Unite	d States District Judge, Defendant Lawrence J.				
20	Gerrans will move the Court to continue his trial date pursuant to Criminal Local Rule 47-2.					
21	This motion is based on this Notice, Declaration of Counsel of Brian H Getz, Memorandum of					
22	Points and Authorities, Proposed Order, and any oral or	documentary evidence to be presented at the hearing				
23	of this motion.					
24	DATED: April 3, 2018	Respectfully submitted,				
25						
26		BRIAN H GETZ				
27		Attorney for Defendant LAWRENCE J. GERRANS				
28		LA WILLIOU J. OLIMANO				
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1 2	BRIAN H GETZ, ESQ. (CSBN 85593) LAW OFFICES OF BRIAN H GETZ 88 Kearny Street, Suite 1850					
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5	Attorney for Defendant LAWRENCE J. GERRANS					
6	IN THE UNITED STATES DISTRICT COURT					
7	NORTHERN DISTRICT OF CALIFORNIA					
8	SAN FRANCISCO DIVISION					
9	UNITED STATES OF AMERICA,) Case No.: 3:18-CR-00310-EMC				
1011	Plaintiff, vs.	DECLARATION OF COUNSEL, BRIAN H GETZ, IN SUPPORT OF DEFENDANT'S				
12		MOTION TO CONTINUE TRIAL DATE				
13	LAWRENCE J. GERRANS) Hearing Date: April 17 , 2019				
14	Defendant.	Hearing Time: 2:30 PM Courtroom: 5				
15)				
16						
17						
	I, BRIAN H GETZ, declare and state as follow:					
18		d to practice law in the State of California and				
19	before this Court.					
20	2. I make this Declaration in support o	f defendant's Motion to Continue Trial Date,				
21	pursuant to Criminal Local Rule 47-2.					
22	3. I have personal knowledge of the fa	cts stated herein and if called as a witness, I				
23	could testify competently to the matters set forth he	erein.				
24	4. Jury selection for this trial is current	ly set to begin on July 26, 2019 followed by a				
25	jury trial on July 29, 2019.					
26	5. I am currently in trial in Alameda C	ounty in the <i>The People v. Almena</i> matter, Case				
27	No.: 17-cr-017349A, which will unveil the tragic d	eath of 36 concertgoers at the Ghostship				
28						
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1	warehouse in	n Oakland. Jury selection began on April 2, 2019 and will occupy much of April 2019.			
2	6.	The trial judge has advised prospective jurors that the case may go into August 2019			
3	7.	Even if the trial ends sooner than August, I would have requested a sixty-day (60)			
4	continuance because I need extra time to obtain additional records, interview witnesses, and				
5	assemble documents in the instant matter.				
6	8.	To my knowledge, no other continuance has been requested in this matter.			
7	Executed on this date, the 3 rd of April 2019 in San Francisco, California.				
8		Respectfully submitted,			
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11		BRIAN H GETZ Attorney for Defendant			
12		LAWRENCE J. GERRANS			
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4	Email: bhgetz@pacbell.net				
5	Attorney for Defendant				
6	LAWRENCE J. GERRANS				
7	IN THE UNITED STATES DISTRICT COURT				
8	NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION				
9					
10	UNITED STATES OF AMERICA,) Case No.: 3:18-CR-00310-EMC			
11	Plaintiff, vs.	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF			
12		DEFENDANT'S MOTION TO CONTINUE			
13	LAWRENCE J. GERRANS	TRIAL DATE			
14	Defendant.	Hearing Date: April 17, 2019 Hearing Time: 2:30 PM			
15		Courtroom: 5			
16					
17					
18	APPLICAL	BLE LAW			
19	The United States District Court for the No.	rthern District of California Criminal Local Rule			
20	47-2 states "all motions in criminal cases shall be f	iled, served and noticed in writing for hearing			
21	not less than 14 days" and shall comply with the form rules outlined in Civil Local Rule 7-2(b)				
22	and (c).				
23	Civil Local Rule 6-2(a) states that parties re	equesting an order to change time that would			
24	affect the date that would affect the date of an event or deadline already fixed by Court order, in this				
25	case the trial date, the parties must set forth with particularity, the reasons for the requested				
26	extension of time and its affect on the current schedule for the case.				
27	//				
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- 1	MEMORANDUM OF DOINTS AND	ALITHODITIES IN CUIDDORT OF			

ARGUMENT

Good cause is present to continue the trial date in this matter. Attorney for defendant outlines two bases for this motion in the <u>Declaration of Counsel</u>, <u>BRIAN H GETZ</u>, in <u>Support of Defendant</u>'s Motion to Continue Trial Date.

The first basis for this motion is that Mr. Getz is currently in trial in the Alameda County case *The People v. Almena*, case no.: 17-cr-017349A, an emotionally public case which will unveil the death of 36 concertgoers who tragically died in a fire at the Ghostship warehouse in Oakland, California. Jury selection began on April 2, 2019 and is expected to continue through April. The trial judge has advised prospective jurors that the case may go into August 2019. This overlaps the July 26, 2019 date for which the jury selection is to begin in this matter.

The second basis for this motion is that even if the trial in *People v. Almena* ends sooner, Mr. Getz would have requested a 60-day continuance for additional time to obtain additional records, interview witnesses, and assemble the thousands of documents in this matter.

No other continuance has been requested in this matter and this request will only affect the start date of jury selection and thus, the jury trial.

DATED: April 3, 2019

Respectfully submitted,

BRIAN H GETZ Attorney for Defendant LAWRENCE J. GERRANS

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5	IN THE UNITED STATES DISTRICT COURT				
6	IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA				
7	SAN FRANCISCO DIVISION				
8	UNITED STATES OF AMERICA,) Case No.: 3:18-CR-00310-EMC				
9	j				
10	Plaintiff, vs. Plaintiff, Plaintiff, Plaintiff, Plaintiff, DEFENDANT'S MOTION TO CONTINUE				
11	LAWRENCE J. GERRANS TRIAL DATE				
12	Defendant.				
13					
14)				
15					
16	GOOD CAUSE APPEARING, and after having considered Defendant's Motion to Continue				
17	his trial date, the Court hereby orders that:				
18	1. The date for Jury Selection currently set for July 26, 2019 be continued to				
19	, 2019, and				
20 21	2. The date for Jury Trial currently set to begin on July 29, 2019 be continued to				
22	, 2019.				
23	IT IS SO ORDERED.				
24					
25	DATED: HONORABLE EDWARD M. CHEN				
26	U.S. DISTRICT COURT JUDGE				
27					
28					
	[PROPOSED] ORDER GRANTINING DEFENDANT'S MOTION TO CONTINUE TRIAL DATE				

Case No.: 3:18-CR-00310-EMC